

(1983 Replacement Volume and 1986 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That, the Laws of Maryland read as follows:

Article - Natural Resources

7-505.

(a) Before any person conducts open-pit mining, he shall obtain a permit on a form furnished by the Department for each separate operation. All permits shall require the operator to comply with all amendments to this subtitle and rules and regulations adopted pursuant thereto. A permit may not be issued if the Department determines that reclamation cannot be accomplished in accordance with the requirements of this subtitle or rules and regulations adopted pursuant thereto. The permit is valid for a term not to exceed 5 years, unless the Department suspends or cancels it prior to that time. If an applicant demonstrates that a specified longer term is necessary to obtain financing for equipment and opening the operation, the Department may grant a permit for such longer term. A permit ISSUED UNDER THIS SUBTITLE SHALL CARRY WITH IT THE RIGHT OF SUCCESSIVE RENEWAL AND may be renewed or amended ~~following a hearing, if requested,~~ as provided in subsection (d) if the permit meets the requirements of this subtitle and rules and regulations adopted pursuant thereto, ~~except that a hearing is not necessary for the approval of incidental boundary revisions~~ UNDER THIS SUBTITLE. A permit may not be transferred or assigned without written approval from the Department. ~~After 8 months from the date of federal approval of the State program, a person may not conduct open-pit mining without obtaining a permit issued pursuant to the approved State program, except that a person may continue to mine under a prior permit if an application for a permit is filed within 2 months following federal approval even if the permit has not been issued.~~

(c) The ~~permit~~ application FOR A PERMIT OR PERMIT REVISION shall be submitted in a manner satisfactory to the Department and shall contain at a minimum:

(1) A copy of the applicant's advertisement to be published in a newspaper of general circulation in the county of the proposed mining site at least once a week for 4 successive weeks, and which includes the ownership of the land TO BE affected, a description of the location and boundaries of the proposed site sufficient so that the proposed operation is easily locatable by local residents, the location of where the application is available for public inspection, and notice that ~~public comment~~ WRITTEN COMMENTS AND REQUESTS FOR A PUBLIC HEARING will be received by the Department for at least 30 days after the last newspaper publication;